

**MURPHY, GARY– July 30, 2007**

**Defendants' Objections**

<b>Testimony Range</b>	<b>Objection</b>	<b>Authority</b>
Pg. 56:14-20	Involves litigation in other watershed – not relevant. Unduly prejudicial; Involves settlement of a claim.	FRE 401;402;403;408
Pg. 57:20-58:3	Involves litigation in other watershed – not relevant. Unduly prejudicial; Involves settlement of a claim.	FRE 401;402;403;408
Pg. 61:12-21	Involves litigation in other watershed – not relevant. Unduly prejudicial; Involves settlement of a claim.	FRE 401;402;403;408
Pg. 62:8-14	Involves litigation in other watershed – not relevant. Lack of foundation. Unduly prejudicial. Involves settlement of a claim.	FRE 403; 408; 602; 701; 702
Pg. 64:3-8	Involves litigation in other watershed – not relevant. Lack of foundation. Unduly prejudicial. Involves settlement of a claim.	FRE 403; 408; 602; 701; 702
Pg. 65:1-4	Involves litigation in other watershed – not relevant. Unduly prejudicial. Involves settlement of a claim.	FRE 403; 408
Pg. 85:1-86:24	Lack of foundation. Hearsay	FRE 602; 801
Pg. 93:7-9	Not relevant – Tulsa case does not involve the IRW. Probative value substantially outweighed by potential prejudice.	FRE 401; 402; 403
Pg. 105:14-19	Assumes facts not in evidence. Mischaracterizes prior testimony	
Pg. 208:14-25	Lack of foundation. Calls for expert opinion. Hearsay	FRE 602; 701; 702; 801
Pg. 209:13-210:16	Lack of foundation. Calls for expert opinion. Hearsay	FRE 602; 701; 702; 801
Pg. 219:6-10	Assumes facts not in evidence; misstates prior testimony	
Pg. 219:17-24	Assumes facts not in evidence; misstates prior testimony	
Pg. 228:5-14	Asked and answered; argumentative. Calls for expert opinion.	FRE 701; 702.
Pg. 236:6-238:3	Lack of foundation; calls for expert opinions.	FRE 701, 702.

**Plaintiff's Objections**

<b>Testimony Range</b>	<b>Objection</b>	<b>Authority</b>
None		



**PARRISH, DANIEL January 14, 2008**

**Defendants' Objections**

<b>Start</b>	<b>Stop</b>	<b>Objection</b>	<b>Authority</b>
Pg. 14, ll. 9	Pg. 14, ll. 15	Answer is nonresponsive and argumentative	
Pg. 18, ll. 24	Pg. 19, ll. 6	Answer is nonresponsive and argumentative	
Pg. 84, ll. 10	Pg. 84, ll. 20	Answer is unsolicited, nonresponsive and argumentative	
Pg. 152, ll. 5	Pg. 153, ll. 2	Answer is nonresponsive and argumentative	
Pg. 199, ll. 16	Pg. 199, ll. 23	Answer is nonresponsive and argumentative; cumulative	FRE 403
Pg. 212, ll. 22	Pg. 212, ll. 25	Answer is nonresponsive and argumentative; cumulative	FRE 403
Pg. 213, ll. 4	Pg. 213, ll. 11	Answer is nonresponsive and argumentative; cumulative	FRE 403
Pg. 253, ll. 11	Pg. 253, ll. 11	Question to which objection belongs is not designated by either party	FRE 403
Pg. 258, ll. 15	Pg. 258, ll. 21	Answer is nonresponsive and argumentative; cumulative	FRE 403
Pg. 259, ll. 15	Pg. 259, ll. 16	Answer is nonresponsive and argumentative; cumulative	FRE 403
Pg. 259, ll. 19	Pg. 259, ll. 25	Answer is nonresponsive and argumentative; cumulative	FRE 403
Pg. 274, ll. 21	Pg. 276, ll. 11	Lack of foundation;	FRE 602

		compound question; assumes facts not in evidence; leading	FRE 611
Pg. 276, ll. 23	Pg. 277, ll. 3	Lack of foundation; assumes facts not in evidence; misleads jury; lack or relevance; cumulative; question is vague and ambiguous	FRE 402 FRE 403 FRE 602
Pg. 278, ll. 22	Pg. 279, ll. 5	Lack of foundation; compound question; assumes facts not in evidence; leading; question is vague and ambiguous; lack of personal knowledge; hearsay; lack of relevance; calls for speculation	FRE 402 FRE 602 FRE 611 FRE 802
Pg. 284, ll. 2	Pg. 285, ll. 13	Lack of foundation; lack of personal knowledge; assumes facts not in evidence; calls for speculation; answer is nonresponsive and argumentative; question is vague and ambiguous; argumentative; leading; hearsay; witness not qualified as expert on this topic	FRE 602 FRE 611 FRE 702/703 FRE 802
Pg. 287, ll. 22	Pg. 288, ll. 17	Lack of foundation; lack of personal knowledge; assumes facts not in evidence; calls for speculation; answer is nonresponsive and argumentative; question is vague and ambiguous; argumentative; leading; witness not	FRE 602 FRE 611 FRE 702/703

		qualified as expert on this topic	
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### Plaintiff's Objections

Testimony Range	Objection	Authority
10:15-24	Assumes facts, vague and compound	
116:23 – 117:10	Relevance, confusion, misleading the jury	FRE 401 and 403
202:20-25	Relevance	FRE 401 and 403
202:2 – 205:5	Relevance	FRE 401 and 403
226:10 -23	Opinion of lay witness; lack of foundation; hearsay	FRE 602, 701, 802
248:2-20	Lack of personal knowledge as to “anyone”	FRE 602
252:23-253:2	Relevance, foundation and lay opinion	FRE 401, 403, 602 and 701
253:14-22	Relevance; foundation and lay opinion	FRE 401, 403, 602 and 701

**PARROTT, CARL – May 30, 2008**

**Defendants' Objections**

<b>Testimony Range</b>	<b>Objection</b>	<b>Authority</b>
Pg. 221, ll. 1 - 8	Answer is non-responsive	
Pg. 292, ll. 23 - 24	Answer is nonresponsive and argumentative; lack of personal knowledge; answer is based upon speculation	FRE 602
Pg. 294, ll. 23 - Pg. 295, ll. 16	Argumentative; lack of foundation	

**Plaintiffs' Objections**

<b>Testimony Range</b>	<b>Objection</b>	<b>Authority</b>
Pg. 40, ll. 6 - 19	Calls for speculation	Rule 602
Pg. 63, ll. 23 - Pg. 64, ll. 3	Assumes facts not in evidence	
Pg. 74, ll. 23 - Pg. 75, ll. 5	Calls for speculation	Rule 602
Pg. 75, ll. 20 - 24	Calls for speculation	Rule 602
Pg. 79, ll. 24 - 25	Leading, and Relevance	Rule 402 and 403 Rule 611(c)
Pg. 98, ll. 18 - 20	Calls for speculation	Rule 602
Pg. 108, ll. 14 - 16	Calls for speculation and Witness is not an expert	Rule 602 Rule 701
Pg. 112, ll. 11 - 13	Assumes facts not in evidence	
Pg. 112, ll. 15 - 17	Assumes facts not in evidence	
Pg. 145, ll. 24 - Pg. 146, ll. 2	Relevance, Asked and Answered, Calls for a legal conclusion	Rule 402 and 403 Rule 611(a) Rule 701
Pg. 153, ll. 4 - 5	Relevance	Rule 402 and 403
Pg. 153, ll. 7	Relevance	Rule 402 and 403
Pg. 158, ll. 20 - 24	Relevance	Rule 402 and 403
Pg. 227, ll. 9 - 10	Relevance	Rule 402 & 403
Pg. 244, ll. 15 - 16	Calls for an expert opinion	Rule 701

**PATRICK, STEVEN - August 21, 2007**

**Defendants' Objections**

<b>Start</b>	<b>Stop</b>	<b>Objection</b>
Pg.66, ll. 4.	Pg. 66, ll. 20.	Objection: Vague and misleading.
Pg. 73, ll. 1.	Pg. 73, ll. 4.	Objection: Calls for speculation. Lack of Foundation
Pg. 73, ll. 6.	Pg. 73, ll. 12.	Objection: Calls for speculation; Lack of Foundation.
Pg. 92, ll. 5.	Pg. 92, ll. 21.	Objection: Calls for legal conclusion.
Pg. 94, ll. 10.	Pg. 94, ll. 19.	Objection: Lack of Foundation. Misleading and mischaracterizes task force.
Pg. 97, ll. 14.	Pg. 103, ll. 22.	Objection: Outside scope of 30(b)(6). Hearsay. Lack of Foundation. Irrelevant under Rule 401 or in alternative not admissible under Rule 403. Violates order of the Court on testimony and evidence from City of Tulsa case.
Pg. 102, ll. 3.	Pg. 103, ll. 3.	Objection: Misleading and mischaracterizes testimony. Lack of foundation. Assumes facts not in evidence.
Pg. 126, ll.16.	Pg. 127, ll. 6.	Objection: Mischaracterizes testimony. Lack of foundation. Calls for legal conclusion. Misleading.
Pg. 129, ll. 8.	Pg. 129, ll. 24.	Objection: Reference to "Tyson's use" is misleading
Pg. 129, ll. 25.	Pg. 130, ll. 9.	Objection: Misleading
Pg. 178, ll. 19.	Pg. 178, ll. 22.	Objection: Misleading
Pg. 236, ll. 16.	Pg. 237, ll. 18.	Objection: Hearsay. Lack of Foundation. Calls for speculation.

PHILLIPS, SHANON 1/17/2008

## Defendants' Objections

Testimony Range	Objection	Authority
Pg. 17, ll. 13 - 20	Misleading to jury; lack of relevance; lack of foundation	FRE 402
Pg. 52, ll. 18 - 22	Answer is nonresponsive and argumentative	
Pg. 58, ll. 20 - Pg. 59, ll. 14.	Leading; calls for speculation; calls for legal conclusion; answer is nonresponsive and argumentative; unfairly prejudicial; assumes facts not in evidence; witness not qualified as expert on this topic	FRE 403 FRE 602 FRE 611 FRE 702/703
Pg. 82, ll. 10 - Pg. 84, ll. 6	Answer is nonresponsive and argumentative; lack of personal knowledge; witness not qualified as expert on this topic	FRE 602 FRE 702/703
Pg. 128, ll. 4 - 16	Lack of foundation; lack of personal knowledge; calls for speculation; assumes facts not in evidence; witness not qualified as expert on this topic	FRE 602 FRE 702/703
Pg. 129, ll. 5 - 12	Argumentative; lack of foundation; calls for speculation; lack of personal knowledge; misleading to jury	FRE 602
Pg. 129, ll. 13 - 23	Lack of foundation; calls for speculation; assumes facts not in evidence; witness not qualified as expert on this topic	FRE 602 FRE 702/703
Pg. 130, ll. 6 - 11	Lack of foundation; lack of personal knowledge; calls for speculation;	FRE 602 FRE 702/703



	assumes facts not in evidence; witness not qualified as expert on this topic	
Pg. 130, ll. 12 - Pg. 131, ll. 2	Lack of foundation; lack of personal knowledge; calls for speculation; assumes facts not in evidence; witness not qualified as expert on this topic; compound question	FRE 602, 702/703
Pg. 131, ll. 16 - 25	Lack of foundation; lack of personal knowledge; witness not designated as 30(b)(6) representative; answer is nonresponsive; hearsay	FRE 602, 802 FRCP 30(b)(6)
Pg. 132, ll. 5 - 21	Lack of foundation; question is vague and ambiguous; lack of personal knowledge; calls for speculation; witness not qualified as expert on this topic	FRE 602 FRE 702/703
Pg. 141, ll. 14 - 19	Seeks legal conclusion; lack of foundation; answer is nonresponsive and argumentative; expert not qualified as expert on this topic; lack of personal knowledge; misleading to jury	FRE 602 FRE 702/703 FRE 704

#### Plaintiffs' Objections

Testimony Range	Objection	Authority
Pg. 84, ll. 7-11; 13-17; 20-22.	Relevance.	Rule 402 and 403
Pg. 91, ll. 6-8; 10-11.	Relevance	Rule 402 and 403
Pg. 137, ll. 12 - 16	Calls for a Legal Conclusion	

**PEACH, TERRY - April 10, 2009**

**Defendants' Objections – NONE**

**Plaintiffs' Objections**

<b>Testimony Range</b>	<b>Objection</b>	<b>Authority</b>
<b>P 6 L 5 - P 7 L 15</b>	Relevance	Rule 401
<b>P 21 L 2-3, 13-25</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion	Rule 401, Rule 403
<b>P 22 L 1-16</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion	Rule 401, Rule 403
<b>P 28 L 7 – P 29 L 1</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion	Rule 401, Rule 403
<b>P 29 L 13-17</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion	Rule 401, Rule 403
<b>P 37 L 8 – P 38 L 8</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Lack of personal knowledge	Rule 401, Rule 403, Rule 602
<b>P 39 L 5 – P 40 L 22</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Calls for speculation	Rule 401, Rule 403
<b>P 42 L 1 – P 43 L 1</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Calls for speculation	Rule 401, Rule 403
<b>P 49 L 2-8</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Lack of personal knowledge; Misrepresents previous testimony; Opinion of lay witness	Rule 401, Rule 403, Rule 602, Rule 701
<b>P 53 L 4-24</b>	Lack of foundation; Lack of personal knowledge	Rule 602
<b>P 58 L 8 – P 59 L 1</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Lack of personal knowledge; Misrepresents previous testimony	Rule 401, Rule 403, Rule 602

<b>P 59 L 11-20</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Lack of personal knowledge; Misrepresents previous testimony	Rule 401, Rule 403, Rule 602
<b>P 60 L 23 – P 61 L 17</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Lack of personal knowledge; Misrepresents previous testimony	Rule 401, Rule 403, Rule 602
<b>P 61 L 25 – P 62 L 8</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Lack of personal knowledge; Misrepresents previous testimony	Rule 401, Rule 403, Rule 602
<b>P 63 L 9-25</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion	Rule 401, Rule 403
<b>P 64 L 7-13</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Lack of personal knowledge; Misrepresents previous testimony; Opinion of lay witness	Rule 401, Rule 403, Rule 602, Rule 701
<b>P 64 L 16 – P 65 L 19</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Lack of personal knowledge; Misrepresents previous testimony; Opinion of lay witness	Rule 401, Rule 403, Rule 602, Rule 701
<b>P 66 L 2-25</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Lack of personal knowledge; Misrepresents previous testimony; Opinion of lay witness	Rule 401, Rule 403, Rule 602, Rule 701
<b>P 67 L 24 – P 68 L 24</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion	Rule 401, Rule 403
<b>P 69 L 1-23</b>	Relevance; Misleading and Confusing; Lack of	Rule 401, Rule 403, Rule 602

	personal knowledge; Calls for speculation	
<b>P 69 L 24 – P 70 L 14</b>	Relevance; Misleading and Confusing; Lack of personal knowledge; Calls for speculation	Rule 401, Rule 403, Rule 602
<b>P 71 L 24 – P 72 L 3</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Lack of personal knowledge; Misrepresents previous testimony; Opinion of lay witness	Rule 401, Rule 403, Rule 602, Rule 701
<b>P 72 L 8 – P 73 L 25</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Lack of personal knowledge; Opinion of lay witness	Rule 401, Rule 403, Rule 602, Rule 701
<b>P 74 L 1-19</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Lack of personal knowledge; Opinion of lay witness; Calls for Speculation	Rule 401, Rule 403, Rule 602, Rule 701
<b>P 74 L 20 – P 75 L 16</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Lack of personal knowledge; Opinion of lay witness	Rule 401, Rule 403, Rule 602, Rule 701
<b>P 75 L 17 – P 76 L 23</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Lack of personal knowledge; Opinion of lay witness	Rule 401, Rule 403, Rule 602, Rule 701
<b>P 76 L 25 – P 78 L 9</b>	Relevance; Misleading and Confusing; Lack of personal knowledge; Opinion of lay witness; Calls for Speculation	Rule 401, Rule 403, Rule 602, Rule 701
<b>P 78 L 16 -25</b>	Relevance; Misleading and Confusing	Rule 401, Rule 403
<b>P 79 L 1-19</b>	Relevance; Misleading and Confusing; Lack of personal knowledge; Opinion of lay witness, Calls for speculation	Rule 401, Rule 403, Rule 602, Rule 701
<b>P 79 L 24 – P 80 L 18</b>	Relevance; Misleading	Rule 401, Rule 403, Rule

	and Confusing; Lack of personal knowledge; Opinion of lay witness	602, Rule 701
<b>P 81 L 4-9</b>	Relevance; Misleading and Confusing; Lack of personal knowledge; Opinion of lay witness; Calls for speculation	Rule 401, Rule 403, Rule 602, Rule 701
<b>P 81 L 17-25</b>	Relevance; Misleading and Confusing; Lack of personal knowledge; Opinion of lay witness; Calls for speculation	Rule 401, Rule 403, Rule 602, Rule 701
<b>P 82 L 1-19</b>	Relevance; Misleading and Confusing; Lack of personal knowledge; Opinion of lay witness; Calls for speculation	Rule 401, Rule 403, Rule 602, Rule 701
<b>P 85 L 12-25</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Lack of personal knowledge; Opinion of lay witness	Rule 401, Rule 403, Rule 602, Rule 701
<b>P 86 L 1-4</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Lack of personal knowledge; Opinion of lay witness	Rule 401, Rule 403, Rule 602, Rule 701
<b>P 86 L 25 – P 87 L 25</b>	Relevance; Misleading and Confusing	Rule 401, Rule 403
<b>P 88 L 1-24</b>	Relevance; Misleading and Confusing	Rule 401, Rule 403
<b>P 89 L 1-25</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Lack of personal knowledge; Opinion of lay witness	Rule 401, Rule 403, Rule 602, Rule 701
<b>P 90 L 2</b>	Relevance; Misleading and Confusing; Lack of personal knowledge	Rule 401, Rule 403, Rule 602
<b>P 91 L 7 -24</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion	Rule 401, Rule 403
<b>P 92 L 1, 7-9, 11-14, 16-25</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion	Rule 401, Rule 403
<b>P 93 L 1-4, 6-13, 15-25</b>	Relevance; Misleading	Rule 401, Rule 403, Rule

	and Confusing; Calls for a legal conclusion; Lack of personal knowledge	602
<b>P 94 L 2-5, 7-21</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Lack of personal knowledge; Misrepresents previous testimony; Opinion of lay witness	Rule 401, Rule 403, Rule 602, Rule 701
<b>P 95 L 1-25</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Lack of personal knowledge; Misrepresents previous testimony; Opinion of lay witness, Calls for speculation	Rule 401, Rule 403, Rule 602, Rule 701
<b>P 96 L 1-11</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Lack of personal knowledge; Calls for speculation	Rule 401, Rule 403, Rule 602
<b>P 98 L 21 – P 99 L 25</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Lack of personal knowledge; Misrepresents previous testimony; Opinion of lay witness	Rule 401, Rule 403, Rule 602, Rule 701
<b>P 100 L 1-9</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Lack of personal knowledge; Misrepresents previous testimony; Opinion of lay witness; Vague and Ambiguous; Assumes facts in dispute and not in evidence	Rule 401, Rule 403, Rule 602, Rule 701
<b>P 100 L 23 – P 101 L 20</b>	Relevance; Misleading and Confusing; Opinion of lay witness	Rule 401, Rule 403, Rule 701
<b>P 103 L 1-25</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Lack of personal knowledge;	Rule 401, Rule 403, Rule 602, Rule 701

	Opinion of lay witness	
<b>P 105 L 21-25</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Assumes facts in dispute and not in evidence	Rule 401, Rule 403,
<b>P 106 L 2-7</b>	Relevance; Misleading and Confusing; Assumes facts in dispute and not in evidence	Rule 401, Rule 403
<b>P 106 L 12-16, 21-24</b>	Relevance; Misleading and Confusing; Assumes facts in dispute and not in evidence	Rule 401. Rule 403
<b>P 106 L 25 – P 107 L 2</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Assumes facts in dispute and not in evidence	Rule 401. Rule 403
<b>P 107 L 9-13</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion	Rule 401, Rule 403
<b>P 107 L 23 – P 108 L 3</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Lack of personal knowledge; Calls for speculation	Rule 401, Rule 403, Rule 602
<b>P 108 L 18-21</b>	Asked and Answered	Rule 401, Rule 403
<b>P 111 L 25 – P 112 L 1-2, 6-9, 12-16, 21-23</b>	Relevance; Misleading and Confusing	Rule 401, Rule 403
<b>P 113 L 2</b>	Relevance; Misleading and Confusing	Rule 401, Rule 403
<b>P 124 L 8 – P 125 L 18</b>	Relevance; Misleading and Confusing; Vague and Ambiguous	Rule 401, Rule 403
<b>P 127 L 13 – P 128 L 19</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Lack of personal knowledge; Calls for speculation; Opinion of lay witness; Assumes facts in dispute and not in evidence	Rule 401, Rule 403, Rule 602, Rule 701
<b>P 130 L 6 – P 131 L 1</b>	Relevance; Misleading and Confusing; Lack of personal knowledge; Calls for speculation;	Rule 401, Rule 403, Rule 602, Rule 701

	Opinion of lay witness; Assumes facts in dispute and not in evidence	
<b>P 131 L 18 -25</b>	Relevance; Misleading and Confusing; Lack of personal knowledge; Calls for speculation; Assumes facts in dispute and not in evidence	Rule 401, Rule 403, Rule 602
<b>P 132 L 1-6</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion	Rule 401, Rule 403
<b>P 132 L 24 – P 133 L 1</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion	Rule 401, Rule 403
<b>P 136 L 11 – P 137 L 5</b>	Relevance; Opinion of lay witness	Rule 401, Rule 701
<b>P 137 L 18-25</b>	Relevance; Misleading and Confusing; Lack of foundation; Lack of personal knowledge; Calls for speculation; Opinion of lay witness; Assumes facts not in evidence	Rule 401, Rule 403, Rule 602, Rule 701
<b>P 183 L 1-12</b>	Relevance	Rule 401
<b>P 138 L 22 – P 140 L 4</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Lack of personal knowledge	Rule 401, Rule 403, Rule 602
<b>P 140 L 6-23</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Lack of personal knowledge	Rule 401, Rule 403, Rule 602
<b>P 141 L 1-6</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Lack of personal knowledge	Rule 401, Rule 403, Rule 602
<b>P 141 L 17-25</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Lack of personal knowledge	Rule 401, Rule 403, Rule 602
<b>P 142 L 1-12</b>	Relevance; Misleading and Confusing; Calls for a legal conclusion; Lack of personal knowledge	Rule 401, Rule 403, Rule 602



<b>P 143 L 1-17</b>	Relevance; Misleading and Confusing; Calls for speculation; Opinion of lay witness; Assumes facts in dispute and not in evidence	Rule 401, Rule 403, Rule 701
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**PULLIAM, LESSLEY -- March 11, 2009**

**Defendants' Objections**

**Plaintiffs' Objections**

<b>Testimony Range</b>	<b>Objection</b>	<b>Authority</b>
Pg. 16, ll. 10 - 11	Relevance	Rule 401, 402
Pg. 16, ll. 13	Relevance	Rule 401, 402
Pg. 16, ll. 15 - 16	Relevance	Rule 401, 402
Pg. 16, ll. 18 - 20	Relevance	Rule 401, 402
Pg. 16, ll. 22	Relevance	Rule 401, 402
Pg. 16, ll. 24 - 25	Relevance	Rule 401, 402
Pg. 21, ll. 3 - 5	Relevance	Rule 401, 402
Pg. 21, ll. 7 - 8	Relevance	Rule 401, 402
Pg. 21, ll. 15 - 16	Relevance	Rule 401, 402
Pg. 21, ll. 18	Relevance	Rule 401, 402
Pg. 21, ll. 20 - 23	Relevance	Rule 401, 402
Pg. 21, ll. 25 - Pg. 22, ll. 2	Relevance	Rule 401, 402
Pg. 22, ll. 6 - 7	Relevance	Rule 401, 402
Pg. 22, ll. 9 - 10	Relevance	Rule 401, 402
Pg. 22, ll. 12 - 13	Relevance	Rule 401, 402
Pg. 22, ll. 15 - 16	Relevance	Rule 401, 402
Pg. 22, ll. 18 - 19	Relevance	Rule 401, 402
Pg. 22, ll. 21 - 23	Relevance	Rule 401, 402
Pg. 22, ll. 25 - Pg. 23, ll. 1	Relevance	Rule 401, 402
Pg. 23, ll. 4 - 5	Relevance	Rule 401, 402
Pg. 23, ll. 7 - 8	Relevance	Rule 401, 402
Pg. 23, ll. 10 - 11	Relevance	Rule 401, 402
Pg. 23, ll. 13 - 14	Relevance	Rule 401, 402
Pg. 23, ll. 16 - 17	Relevance	Rule 401, 402
Pg. 23, ll. 20	Relevance	Rule 401, 402
Pg. 23, ll. 22 - 24	Relevance	Rule 401, 402
Pg. 25, ll. 19 - 20	Relevance	Rule 401, 402, 403
Pg. 25, ll. 22 - 23	Relevance	Rule 401, 402, 403
Pg. 26, ll. 1 - 2	Relevance	Rule 401, 402, 403
Pg. 26, ll. 4 - 5	Relevance	Rule 401, 402, 403
Pg. 26, ll. 7 - 12	Relevance	Rule 401, 402, 403
Pg. 26, ll. 14 - 18	Relevance	Rule 401, 402, 403
Pg. 26, ll. 20 - 22	Relevance	Rule 401, 402, 403
Pg. 27, ll. 19 - 20	Relevance	Rule 401, 402, 403
Pg. 27, ll. 22 - 25	Relevance	Rule 401, 402, 403
Pg. 29, ll. 18 - 19	Relevance	Rule 401, 402, 403
Pg. 31, ll. 24 - 25	Relevance	Rule 401, 402, 403

Pg. 32, ll. 2 - 3	Relevance	Rule 401, 402, 403
Pg. 32, ll. 5	Relevance	Rule 401, 402, 403
Pg. 32, ll. 8 - 9	Relevance	Rule 401, 402, 403
Pg. 32, ll. 11	Relevance	Rule 401, 402, 403
Pg. 32, ll. 13	Relevance	Rule 401, 402, 403
Pg. 32, ll. 15	Relevance	Rule 401, 402, 403
Pg. 32, ll. 18	Relevance	Rule 401, 402, 403
Pg. 32, ll. 20 - 21	Relevance	Rule 401, 402, 403
Pg. 32, ll. 23	Relevance	Rule 401, 402, 403
Pg. 33, ll. 1 - 3	Relevance	Rule 401, 402, 403
Pg. 33, ll. 7 - 8	Relevance	Rule 401, 402, 403
Pg. 33, ll. 11 - 13	Relevance	Rule 401, 402, 403
Pg. 33, ll. 16 - 18	Relevance	Rule 401, 402, 403
Pg. 33, ll. 21 - 23	Relevance	Rule 401, 402, 403
Pg. 34, ll. 1	Relevance	Rule 401, 402, 403
Pg. 36, ll. 6 - 8	Relevance	Rule 401, 402, 403
Pg. 36, ll. 12 - 13	Relevance	Rule 401, 402, 403
Pg. 36, ll. 15 - 16	Relevance	Rule 401, 402, 403
Pg. 36, ll. 19 - 20	Relevance	Rule 401, 402, 403
Pg. 36, ll. 22 - 24	Relevance	Rule 401, 402, 403
Pg. 37, ll. 12 - 14	Relevance	Rule 401, 402, 403
Pg. 37, ll. 16	Relevance	Rule 401, 402, 403
Pg. 37, ll. 20 - 23	Relevance	Rule 401, 402, 403
Pg. 38, ll. 1 - 3	Relevance	Rule 401, 402, 403
Pg. 38, ll. 5 - 6	Relevance	Rule 401, 402, 403
Pg. 39, ll. 14 - 16	Relevance	Rule 401, 402, 403
Pg. 39, ll. 18	Relevance	Rule 401, 402, 403
Pg. 39, ll. 20	Relevance	Rule 401, 402, 403
Pg. 39, ll. 23	Relevance	Rule 401, 402, 403
Pg. 40, ll. 1	Relevance	Rule 401, 402, 403
Pg. 40, ll. 3 - 5	Relevance	Rule 401, 402, 403
Pg. 40, ll. 8 - 9	Relevance	Rule 401, 402, 403
Pg. 40, ll. 11 - 12	Relevance	Rule 401, 402, 403
Pg. 40, ll. 14 - 16	Relevance	Rule 401, 402, 403
Pg. 40, ll. 18 - 19	Relevance	Rule 401, 402, 403
Pg. 40, ll. 21	Relevance	Rule 401, 402, 403
Pg. 40, ll. 24 - 25	Relevance	Rule 401, 402, 403
Pg. 41, ll. 2 - 3	Relevance	Rule 401, 402, 403
Pg. 41, ll. 5 - 6	Relevance	Rule 401, 402, 403
Pg. 41, ll. 8 - 9	Relevance	Rule 401, 402, 403
Pg. 41, ll. 12 - 13	Relevance	Rule 401, 402, 403
Pg. 41, ll. 15 - 16	Relevance	Rule 401, 402, 403
Pg. 41, ll. 18	Relevance	Rule 401, 402, 403
Pg. 41, ll. 23	Relevance	Rule 401, 402, 403
Pg. 41, ll. 25 - Pg. 42, ll. 2	Relevance	Rule 401, 402, 403

Pg. 42, ll. 5 - 8	Relevance	Rule 401, 402, 403
Pg. 42, ll. 11 - 12	Relevance	Rule 401, 402, 403
Pg. 45, ll. 20 - Pg. 46, ll. 4	Relevance	Rule 401, 402, 403
Pg. 46, ll. 5 - 8	Relevance	Rule 401, 402, 403
Pg. 46, ll. 12 - 18	Relevance	Rule 401, 402, 403
Pg. 46, ll. 22 - 25	Relevance	Rule 401, 402, 403
Pg. 47, ll. 2 - 3	Relevance	Rule 401, 402, 403
Pg. 47, ll. 5 - 6	Relevance	Rule 401, 402, 403
Pg. 47, ll. 8 - 11	Relevance	Rule 401, 402, 403
Pg. 47, ll. 13	Relevance; Lack of personal knowledge	Rule 401, 402, 403 Rule 602
Pg. 47, ll. 15 - 21	Relevance; Lack of personal knowledge	Rule 401, 402, 403 Rule 602
Pg. 47, ll. 24 - Pg. 48, ll. 7	Relevance; Lack of personal knowledge	Rule 401, 402, 403 Rule 602
Pg. 48, ll. 9 - 11	Relevance; Lack of personal knowledge	Rule 401, 402, 403 Rule 602
Pg. 48, ll. 13 - 14	Relevance; Lack of personal knowledge	Rule 401, 402, 403 Rule 602
Pg. 48, ll. 16 - 17	Relevance; Lack of personal knowledge	Rule 401, 402, 403 Rule 602
Pg. 48, ll. 19 - 20	Relevance; Lack of personal knowledge	Rule 401, 402, 403 Rule 602
Pg. 48, ll. 22 - 25	Relevance; Lack of personal knowledge	Rule 401, 402, 403 Rule 602
Pg. 49, ll. 2 - 5	Relevance; Lack of personal knowledge	Rule 401, 402, 403 Rule 602
Pg. 49, ll. 9 - 10	Relevance; Lack of personal knowledge	Rule 401, 402, 403 Rule 602
Pg. 49, ll. 13 - 22	Relevance; Lack of personal knowledge	Rule 401, 402, 403 Rule 602
Pg. 49, ll. 24 - Pg. 50, ll. 1	Relevance; Lack of personal knowledge	Rule 401, 402, 403 Rule 602
Pg. 50, ll. 5 - 8	Relevance; Lack of personal knowledge	Rule 401, 402, 403 Rule 602
Pg. 50, ll. 9 - 10	Relevance; Lack of personal knowledge	Rule 401, 402, 403 Rule 602
Pg. 53, ll. 19 - 22	Relevance	Rule 401, 402, 403
Pg. 54, ll. 8 - 9	Relevance	Rule 401, 402, 403
Pg. 54, ll. 13 - 18	Relevance	Rule 401, 402, 403
Pg. 54, ll. 20 - 21	Relevance	Rule 401, 402, 403
Pg. 54, ll. 25 - Pg. 55, ll. 1	Relevance	Rule 401, 402, 403
Pg. 55, ll. 3 - 4	Relevance	Rule 401, 402, 403
Pg. 55, ll. 6 - 8	Relevance	Rule 401, 402, 403
Pg. 55, ll. 10 - 12	Relevance	Rule 401, 402, 403

Pg. 55, ll. 14	Relevance	Rule 401, 402, 403
Pg. 55, ll. 16 - 19	Relevance	Rule 401, 402, 403
Pg. 55, ll. 23 - Pg. 56, ll. 4	Relevance	Rule 401, 402, 403
Pg. 56, ll. 8 - 11	Relevance	Rule 401, 402, 403
Pg. 56, ll. 13 - 14	Relevance	Rule 401, 402, 403
Pg. 56, ll. 22 - 24	Relevance	Rule 401, 402, 403
Pg. 57, ll. 1 - 2	Relevance	Rule 401, 402, 403
Pg. 57, ll. 4	Relevance	Rule 401, 402, 403
Pg. 57, ll. 9 - 12	Relevance	Rule 401, 402, 403
Pg. 57, ll. 14 - 16	Relevance	Rule 401, 402, 403
Pg. 57, ll. 18	Relevance	Rule 401, 402, 403
Pg. 57, ll. 24 - 25	Relevance	Rule 401, 402, 403
Pg. 58, ll. 3 - 5	Relevance	Rule 401, 402, 403
Pg. 58, ll. 7 - 9	Relevance	Rule 401, 402, 403
Pg. 58, ll. 19 - 21	Relevance	Rule 401, 402, 403
Pg. 58, ll. 23 - 24	Relevance	Rule 401, 402, 403
Pg. 59, ll. 3 - 5	Relevance	Rule 401, 402, 403
Pg. 59, ll. 9	Relevance	Rule 401, 402, 403
Pg. 59, ll. 11	Relevance	Rule 401, 402, 403
Pg. 59, ll. 13 - 15	Relevance	Rule 401, 402, 403
Pg. 59, ll. 17 - 18	Relevance	Rule 401, 402, 403
Pg. 59, ll. 22	Relevance	Rule 401, 402, 403
Pg. 59, ll. 25 - Pg. 60, ll. 3	Relevance	Rule 401, 402, 403
Pg. 61, ll. 15 - 17	Relevance	Rule 401, 402, 403
Pg. 61, ll. 21 - 22	Relevance	Rule 401, 402, 403
Pg. 63, ll. 16 - 17	Relevance	Rule 401, 402, 403
Pg. 63, ll. 19	Relevance	Rule 401, 402, 403
Pg. 64, ll. 9 - 10	Relevance	Rule 401, 402, 403
Pg. 64, ll. 12 - 13	Relevance	Rule 401, 402, 403
Pg. 64, ll. 16	Relevance	Rule 401, 402, 403
Pg. 64, ll. 18 - 19	Relevance	Rule 401, 402, 403
Pg. 64, ll. 21 - 23	Relevance	Rule 401, 402, 403
Pg. 65, ll. 1	Relevance	Rule 401, 402, 403
Pg. 65, ll. 6	Relevance	Rule 401, 402, 403
Pg. 65, ll. 8 - 9	Relevance	Rule 401, 402, 403
Pg. 65, ll. 13 - 14	Relevance	Rule 401, 402, 403
Pg. 74, ll. 13 - 16	Relevance	Rule 401, 402, 403
Pg. 74, ll. 18 - 20	Relevance	Rule 401, 402, 403
Pg. 74, ll. 23 - 25	Relevance	Rule 401, 402, 403
Pg. 75, ll. 2	Relevance	Rule 401, 402, 403
Pg. 75, ll. 4 - 8	Relevance	Rule 401, 402, 403
Pg. 75, ll. 10 - 13	Relevance	Rule 401, 402, 403
Pg. 75, ll. 15 - 17	Relevance	Rule 401, 402, 403
Pg. 75, ll. 19 - 20	Relevance	Rule 401, 402, 403

Pg. 76, ll. 3	Relevance	Rule 401, 402, 403
Pg. 76, ll. 7 - 10	Relevance	Rule 401, 402, 403
Pg. 76, ll. 12 - 13	Relevance	Rule 401, 402, 403
Pg. 76, ll. 15 - 20	Relevance	Rule 401, 402, 403
Pg. 77, ll. 1	Relevance	Rule 401, 402, 403
Pg. 77, ll. 3 - 5	Relevance	Rule 401, 402, 403
Pg. 77, ll. 7 - 8	Relevance	Rule 401, 402, 403
Pg. 77, ll. 11	Relevance	Rule 401, 402, 403
Pg. 77, ll. 14	Relevance	Rule 401, 402, 403
Pg. 77, ll. 17 - 18	Relevance	Rule 401, 402, 403
Pg. 77, ll. 20	Relevance	Rule 401, 402, 403
Pg. 77, ll. 23 - 24	Relevance	Rule 401, 402, 403
Pg. 84, ll. 5 - 9	Relevance; Lack of personal knowledge; Opinion of lay witness	Rule 401, 402, 403 Rule 602 Rule 701
Pg. 88, ll. 2 - 4	Relevance; Lack of personal knowledge;	Rule 401, 402, 403 Rule 602 Rule 701
Pg. 88, ll. 6 - 8	Relevance; Lack of personal knowledge;	Rule 401, 402, 403 Rule 602 Rule 701
Pg. 88, ll. 10 - 11	Relevance; Lack of personal knowledge;	Rule 401, 402, 403 Rule 602 Rule 701
Pg. 88, ll. 16 - 18	Relevance; Lack of personal knowledge;	Rule 401, 402, 403 Rule 602 Rule 701
Pg. 90, ll. 4 - 9	Relevance	Rule 401, 402, 403
Pg. 90, ll. 11 - 12	Relevance	Rule 401, 402, 403
Pg. 97, ll. 17 - 18	Relevance	Rule 401, 402, 403
Pg. 98, ll. 3	Relevance	Rule 401, 402, 403
Pg. 98, ll. 6 - 7	Relevance	Rule 401, 402, 403
Pg. 98, ll. 10 - 11	Relevance	Rule 401, 402, 403
Pg. 98, ll. 17 - 18	Relevance	Rule 401, 402, 403
Pg. 98, ll. 20 - 21	Relevance	Rule 401, 402, 403

SCHAFFER, ARCHIE --July 9, 2008

**Defendants' Objections**

<b>Testimony Range</b>	<b>Objection</b>	<b>Authority</b>
<b>19:3 – 20:4</b>	Lack of Foundation	Rule 602
<b>20:25 – 21:9</b>	Lack of Foundation, Misleading	Rules 403, 602
<b>21:10 – 21:23</b>	Relevance; Probative Value outweighed by unfair prejudice, confusion.	Rules 401, 403
<b>65:2 – 82:2</b>	Def's objection - to all testimony regarding Ex. 7 (thru p. 82:2); Document is from production in City of Tulsa case, and not relevant to this case. Subject to MIL on same issue.	Rules 401, 403
<b>103:2 – 111:16</b>	Def's objection - to all testimony regarding Ex. 8 (thru p. 82:2); Document is from production in City of Tulsa case, and not relevant to this case. Subject to MIL on same issue. Probative value outweighed by prejudice and confusion of the issues.	Rules 401, 403

**Plaintiffs' Objections**

<b>Testimony Range</b>	<b>Objection</b>	<b>Authority</b>
<b>None</b>		

**SCHOOLEY, DOUG -- August 12, 2008**

**Defendants' Objections - None**

**Plaintiffs' Objections**

<b>Testimony Range</b>	<b>Objection</b>	<b>Authority</b>
<b>53:14 – 54:19</b>	Lacks Foundation, Relevance	Rules 401, 402, 403, 602
<b>55:6 – 15</b>	Lacks Foundation, Relevance	Rules 401, 402, 403, 602
<b>58:1 – 6</b>	Relevance	Rules 401, 402, 403.
<b>96:19 – 99:24</b>	Relevance	Rules 401, 402, 403.
<b>103:8 – 105:15</b>	Relevance	Rules 401, 402, 403.
<b>107:21 – 108:3</b>	Relevance	Rules 401, 402, 403.
<b>111:2 – 19</b>	Relevance	Rules 401, 402, 403.
<b>112:23 – 113:11</b>	Relevance; Calls for Speculation	Rules 401, 402, 403.
<b>115:6 – 13</b>	Relevance	Rules 401, 402, 403.
<b>115:21 – 117:23</b>	Relevance	Rules 401, 402, 403.
<b>119:2 – 25</b>	Relevance	Rules 401, 402, 403.
<b>122:17 – 25</b>	Relevance	Rules 401, 402, 403.
<b>124:4 – 127:7</b>	Relevance	Rules 401, 402, 403.
<b>128:24 – 129:2</b>	Relevance	Rules 401, 402, 403.
<b>129:25 – 130:6</b>	Relevance	Rules 401, 402, 403.
<b>130:15 – 131:13</b>	Relevance	Rules 401, 402, 403.
<b>133:23 – 138:1</b>	Relevance	Rules 401, 402, 403.
<b>139:10 – 140:5</b>	Relevance	Rules 401, 402, 403.
<b>140:15 – 147:24</b>	Relevance	Rules 401, 402, 403.
<b>150:2 – 11</b>	Relevance	Rules 401, 402, 403.
<b>151:9 – 18</b>	Relevance	Rules 401, 402, 403.
<b>152:13 – 154:18</b>	Relevance	Rules 401, 402, 403.
<b>155:5 – 158:2</b>	Relevance	Rules 401, 402, 403.
<b>158:12 – 159:20</b>	Relevance	Rules 401, 402, 403.
<b>161:3 – 163:20</b>	Relevance	Rules 401, 402, 403.



**SIMMONS, MARK – June 17, 2008**

**Defendants' Objections**

<b>Start</b>	<b>Stop</b>	<b>Objection</b>
Pg. 28, ll. 13.	Pg. 29, ll. 1	Assumes facts not in evidence. lack of foundation 701, 602
Pg. 33, ll. 6.	Pg. 33, ll. 17.	Lack of foundation. 701, 602. Hearsay 801
Pg. 33, ll. 22.	Pg. 34, ll. 11.	Lack of foundation. 701, 702
Pg. 34, ll. 24.	Pg. 35, ll. 6.	Lack of foundation. 701, 702. Hearsay 801
Pg. 35, ll. 11.	Pg. 35, ll. 14.	Lack of foundation. 701, 702. Hearsay 801
Pg. 36, ll. 5.	Pg. 36, ll. 10.	Lack of foundation. 602
Pg. 36, ll. 11	Pg. 36, ll. 21	Lack of foundation. 602. Hearsay 801
Pg. 38, ll. 3.	Pg. 38, ll. 15.	Lack of foundation. 701, 702. Hearsay 801
Pg. 49, ll. 25.	Pg. 50, ll. 4.	Not relevant 401, 402. Hearsay 801
Pg. 66, ll. 18.	Pg. 66, ll. 19.	Mr. Bullock's testimony improper
Pg. 80, ll. 9.	Pg. 82, ll. 10.	Not relevant. Concerns settlement terms of Eucha Spavinaw case. 401, 402, 408. Also unduly prejudicial. 403
Pg. 82, ll. 23.	Pg. 83, ll. 3.	Not relevant. Concerns settlement terms of Eucha Spavinaw case. 401, 402, 408. Also unduly prejudicial. 403.
Pg. 84, ll. 6.	Pg. 84, ll. 11.	Not relevant. Concerns settlement terms of Eucha Spavinaw case. 401, 402, 408. Also unduly prejudicial. 403.
Pg. 85, ll. 20.	Pg. 86, ll. 20.	Lack of foundation. 701, 702. Hearsay 801
Pg. 92, ll. 7.	Pg. 93, ll. 12.	Lack of foundation. 701. 702.
Pg. 112, ll. 13.	Pg. 113, ll. 4.	Lack of foundation. 602. Hearsay 801
Pg. 113, ll. 11	Pg. 113, ll. 15	Lack of foundation. 602. Hearsay 801
Pg. 113, ll. 22.	Pg. 114, ll. 10.	Lack of foundation. 602. Hearsay 801
Pg. 120, ll. 7.	Pg. 120, ll. 24	Lack of foundation. 602, 701, 702. Hearsay 801.
Pg. 123, ll. 2.	Pg. 124, ll. 15.	Lack of foundation. 602, 701, 702. Hearsay 801.
Pg. 125, ll. 24.	Pg. 127, ll. 16.	Lack of foundation. 601, 701, 702. Hearsay 801.
Pg. 128, ll. 15.	Pg. 128, ll. 22.	Mischaracterizes testimony; assumes facts not in evidence; lack of foundation

August 6, 2009

SMITH, DUANE - April 13, 2009

Defendants' Objections: None

Plaintiffs' Objections

Testimony Range	Objection	Authority
Page 72 L 1 to 8	Form & Relevance	FRE 402
Page 73 L 16 to 22	Form & Relevance	FRE 402
Page 85 L 15 to 25	Relevance & Unfair Prejudice	FRE 402 & 403
Page 86 L 1 to Page 89 L 11	Relevance & Unfair Prejudice	FRE 402 & 403
Page 95 L 25 to Page 96 L 9	Objection Withdrawn	
Page 96 L13 to 19	Objection Withdrawn	
Page 96 L 20 to Page 97 L5	Relevance & Unfair Prejudice	FRE 402 & 403
Page 97 L 6 to 18	Objection Withdrawn	
Page 98 L 3 to 7	Objection Withdrawn	
Page 98 L 8 to 18	Relevance & Unfair Prejudice	FRE 402 & 403
Page 100 L 20 to 23	Agreed to Withdraw Designation	FRE 402, 403 & 602
Page 100 L 24 to Page 101 L 4	Relevance, Unfair Prejudice & Lack of Personal Knowledge	FRE 402, 403 & 602
Page 101 L 5 to 9	Relevance, Unfair Prejudice, Lack of Personal Knowledge & Hearsay	FRE 402, 403, 602 & 802
Page 101 L10 to 19	Relevance & Unfair Prejudice	FRE 402 & 403
Page 102 L 1 to 15	Relevance & Unfair Prejudice	FRE 402 & 403
Page 116 L 2 to 23	Form ( cumulative & asked and answered), Relevance , Unfair Prejudice and Lack of Personal Knowledge	FRE 402, 403 & 602
Page 117 L 2 to 20	Form ( cumulative & asked and answered), Relevance, Unfair Prejudice & Lack of Personal Knowledge	FRE 402, 403 & 602

**SMITHEE, DEREK****Plaintiffs' Objections**Objections as to Form of Question

23:8-10	Speculation; Calls for a legal conclusion
24:7-10	Speculation; Calls for a legal conclusion
171:22-23	Asked and answered
180:16-18	Speculation

**OBJECTIONS TO DEFENDANTS' DESIGNATIONS**

14:4-5; 13-25	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
15:1-16	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
16:4-15; 23-25	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
17:1-8; 14-25	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
18:1-3; 14-25	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
19:1-2; 9-13, 20-25	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
	F.R.E. 602 – Lack of Personal Knowledge
	F.R.E. 701 – Opinion of Lay Witness (not based on specialized knowledge)
20:15-16	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
	F.R.E. 602 – Lack of Personal Knowledge; Lack of foundation
21:20 – 23:5	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
23:11 – 24:6	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
24:11-16, 24:21-25:2	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
29:5-20	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
30:4-8	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
32:18-24	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
33:2-20; 24	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
36:12 – 37:2	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
	F.R.E. 602 – Lack of Personal Knowledge
42:10-17, 22-25 and 43:1-3, 6-8	F.R.E. 401, 402, 403 – General relevance; confusion of the issues and F.R.E. 602 – Lack of Personal Knowledge
45:2-5, 16-25 and 46:1-4	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
53:5-12, 15-25 and 54:9-25	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
59:16 – 60:6	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
79:18-19	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
80:14-23 and 81:4 – 82:10	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
82:14-24	F.R.E. 401, 402, 403 – General relevance; confusion of the issues

83:13 – 84:4	F.R.E. 602 – Lack of Personal Knowledge F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
84:9 – 85:18	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
86:6-14, 22-25 and 87:1	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
88:24 – 89:9	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
93:2-14	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
103:14 – 104:5	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
104:14 – 105:22	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
106:5-9	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
114:6 – 115:6	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
115:15 – 116:2	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
151:19 – 152:2	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
152:12-14	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
153:8-17	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
154:7-9	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
167:5-8, 12-22	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
170:15-19	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
172:3-13	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
172:18-24	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
172:25 – 174:20	F.R.E. 401, 402, 403 – General relevance; confusion of the issues
176:4-10, 17-18, and 22-24	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
177:5-16	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
178:11-16, 25	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
179:1-4, 8, 14-15 and 19-25	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge
180:1-8, 13-24	F.R.E. 401, 402, 403 – General relevance; confusion of the issues F.R.E. 602 – Lack of Personal Knowledge

**STORM, STEVE -- October 8, 2007**

**Defendants' Objections: None**

**Plaintiffs' Objections:**

Steve Storm, Volume One:

<b>Start</b>	<b>Stop</b>	<b>Objection</b>	<b>Authority</b>
Pg. 62, ll. 4	Pg. 62, ll. 16	Mis-states contract provision, Ambiguous, Irrelevant	Form, 402, 403
Pg. 64, ll. 8	Pg. 64, ll. 12	Mis-states contract provision, Ambiguous, Irrelevant	Form, 402, 403
Pg. 77, ll. 25	Pg. 78, ll. 2	Mis-states prior testimony	Form, 602
Pg. 79, ll. 21	Pg. 79, ll. 22	Ambiguous, No Foundation	Form, 602
Pg. 79, ll. 25	Pg. 80, ll. 2	Ambiguous, No Foundation	Form, 602
Pg. 80, ll. 6	Pg. 80, ll. 8	Ambiguous, No Foundation	Form, 602
Pg. 95, ll. 24	Pg. 95, ll. 25	Unfair, Prejudicial	402, 403
Pg. 96, ll. 4	Pg. 96, ll. 5	Unfair, Prejudicial	402, 403
Pg. 96, ll. 10	Pg. 96, ll. 12	Unfair, Prejudicial	402, 403
Pg. 96, ll. 19	Pg. 96, ll. 20	Unfair, Prejudicial	402, 403
Pg. 97, ll. 10	Pg. 97, ll. 1	Unfair, Prejudicial	402, 403
Pg. 97, ll. 16	Pg. 97, ll. 18	Unfair, Prejudicial	402, 403
Pg. 97, ll. 21	Pg. 97, ll. 23	Unfair, Prejudicial	402, 403
Pg. 98, ll. 3	Pg. 98, ll. 5	Unfair, Prejudicial	402, 403
Pg. 98, ll. 6	Pg. 98, ll. 9	Unfair, Prejudicial	402, 403
Pg. 98, ll. 23	Pg. 98, ll. 24	Unfair, Prejudicial	402, 403
Pg. 99, ll. 1	Pg. 99, ll. 1	Unfair, Prejudicial	402, 403
Pg. 99, ll. 6	Pg. 99, ll. 7	Unfair, Prejudicial	402, 403
Pg. 99, ll. 25	Pg. 100, ll. 3	Unfair, Prejudicial	402, 403
Pg. 100, ll. 14	Pg. 100, ll. 14	Unfair, Prejudicial	402, 403
Pg. 100, ll. 21	Pg. 100, ll. 22	Unfair, Prejudicial	402, 403
Pg. 100, ll. 24	Pg. 100, ll. 25	Unfair, Prejudicial	402, 403
Pg. 119, ll. 24	Pg. 120, ll. 25	Unfair, Prejudicial	402, 403, 602
Pg. 130, ll. 5	Pg. 130, ll. 6	Unfair, Prejudicial	402, 403, 602
Pg. 130, ll. 12	Pg. 130, ll. 14	Unfair, Prejudicial	402, 403, 602
Pg. 130, ll. 22	Pg. 131, ll. 1	Unfair, Prejudicial	402, 403, 602
Pg. 131, ll. 3	Pg. 131, ll. 6	Unfair, Prejudicial	402, 403, 602

Steve Storm, Volume Two:

<b>Start</b>	<b>Stop</b>	<b>Objection</b>	<b>Authority</b>
Pg. 161, ll. 24	Pg. 162, ll. 2	Unfair, Prejudicial	402, 403
Pg. 162, ll. 5	Pg. 162, ll. 8	Unfair, Prejudicial	402, 403
Pg. 162, ll. 10	Pg. 162, ll. 15	Irrelevant, Unfair, Prejudicial	402, 403
Pg. 162, ll. 22	Pg. 162, ll. 25	Irrelevant, Unfair, Prejudicial	402, 403
Pg. 163, ll. 12	Pg. 162, ll. 13	Irrelevant, Unfair, Prejudicial	402, 403
Pg. 170, ll. 2	Pg. 170, ll. 3	Irrelevant, Unfair, Prejudicial	402, 403
Pg. 174, ll. 9	Pg. 174, ll. 12	Irrelevant, Unfair, Prejudicial	402, 403
Pg. 175, ll. 2	Pg. 175, ll. 14	Irrelevant, Unfair, Prejudicial	402, 403
Pg. 175, ll. 19	Pg. 175, ll. 19	Irrelevant, Unfair, Prejudicial	402, 403
Pg. 176, ll. 2	Pg. 176, ll. 6	Irrelevant, Unfair, Prejudicial	402, 403
Pg. 176, ll. 10	Pg. 176, ll. 11	Irrelevant, Unfair, Prejudicial	402, 403
Pg. 177, ll. 3	Pg. 177, ll. 13	No Foundation, Ambiguous	402, 403
Pg. 177, ll. 21	Pg. 178, ll. 3	Irrelevant, Unfair, Prejudicial	402, 403
Pg. 178, ll. 14	Pg. 178, ll. 15	Lack of Foundation, No expertise	602
Pg. 179, ll. 1	Pg. 179, ll. 15	Lack of Foundation, No expertise	402, 602
Pg. 183, ll. 5	Pg. 183, ll. 12	Irrelevant, Unfair, Prejudicial	402, 602
Pg. 183, ll. 15	Pg. 183, ll. 17	Lack of Foundation, No expertise	602
Pg. 183, ll. 20	Pg. 183, ll. 21	Lack of Foundation, No expertise	602
Pg. 184, ll. 1	Pg. 184, ll. 2	Lack of Foundation, No expertise	602
Pg. 184, ll. 5	Pg. 184, ll. 7	Lack of Foundation, No expertise	602
Pg. 185, ll. 6	Pg. 185, ll. 9	Irrelevant, Unfair, Prejudicial, Lack of Foundation, No expertise	402, 403, 602
Pg. 193, ll. 21	Pg. 185, ll. 23	Irrelevant, Unfair, Prejudicial, Lack of Foundation, No expertise	402, 403, 602, 701, Form
Pg. 206, ll. 2	Pg. 206, ll. 5	Unfair, Prejudicial	402, 403, 602, 701, Form



<b>Start</b>	<b>Stop</b>	<b>Objection</b>	<b>Authority</b>
Pg. 206, ll. 7	Pg. 206, ll. 10	Unfair, Prejudicial	402, 403, 602, 701, Form
Pg. 206, ll. 12	Pg. 206, ll. 16	Unfair, Prejudicial, Hypothetical	Form, 403
Pg. 207, ll. 2	Pg. 207, ll. 8	Unfair, Prejudicial, Hypothetical	Form, 403
Pg. 207, ll. 13	Pg. 207, ll. 24	Unfair, Prejudicial, Hypothetical	Form, 403
Pg. 214, ll. 8	Pg. 207, ll. 10	Irrelevant, Unfair, Prejudicial	402, 403
Pg. 214, ll. 12	Pg. 214, ll. 18	Irrelevant, Unfair, Prejudicial	402, 403
Pg. 214, ll. 20	Pg. 214, ll. 22	Irrelevant, Unfair, Prejudicial	402, 403
Pg. 215, ll. 9	Pg. 215, ll. 16	Irrelevant, Unfair, Prejudicial	Form, 402, 403
Pg. 215, ll. 18	Pg. 216, ll. 2	Irrelevant, Unfair, Prejudicial	Form, 402, 403
Pg. 216, ll. 24	Pg. 217, ll. 9	Irrelevant, Unfair, Prejudicial	Form, 402, 403
Pg. 218, ll. 23	Pg. 219, ll. 3	Irrelevant, Unfair, Prejudicial	402, 403
Pg. 219, ll. 5	Pg. 219, ll. 7	Irrelevant, Unfair, Prejudicial	402, 403
Pg. 219, ll. 15	Pg. 219, ll. 16	Irrelevant, Unfair, Prejudicial, Lack of Foundation, No expertise	402, 403, 602, 701, Form
Pg. 219, ll. 21	Pg. 210, ll. 7	Irrelevant, Unfair, Prejudicial	Form, 402, 403, 802
Pg. 220, ll. 10	Pg. 220, ll. 712	Irrelevant, Unfair, Prejudicial	402, 403, 602
Pg. 220, ll. 20	Pg. 220, ll. 24	Irrelevant, Unfair, Prejudicial, Hypothetical	402, 403, 802, Form
Pg. 221, ll. 1	Pg. 221, ll. 13	Irrelevant, Unfair, Prejudicial, Hypothetical	Form, 402, 403
Pg. 224, ll. 12	Pg. 224, ll. 117	Irrelevant	402, 403
Pg. 224, ll. 19	Pg. 224, ll. 12	Irrelevant	402, 403
Pg. 225, ll. 5	Pg. 225, ll. 6	Irrelevant	402, 403
Pg. 225, ll. 12	Pg. 225, ll. 13	Irrelevant	402, 403
Pg. 225, ll. 22	Pg. 225, ll. 25	Irrelevant	402, 403
Pg. 226, ll. 2	Pg. 226, ll. 4	Irrelevant	402, 403
Pg. 226, ll. 9	Pg. 226, ll. 10	Irrelevant	402, 403
Pg. 226, ll. 12	Pg. 226, ll. 14	Irrelevant	402, 403
Pg. 226, ll. 16	Pg. 226, ll. 18	Irrelevant	402, 403
Pg. 226, ll. 20	Pg. 226, ll. 24	Irrelevant	402, 403
Pg. 227, ll. 8	Pg. 227, ll. 11	Irrelevant	402, 403

Start	Stop	Objection	Authority
Pg. 227, ll. 13	Pg. 227, ll. 16	Irrelevant	402, 403
Pg. 227, ll. 22	Pg. 227, ll. 25	Irrelevant	402, 403
Pg. 228, ll. 3	Pg. 228, ll. 5	Irrelevant	402, 403
Pg. 228, ll. 22	Pg. 228, ll. 23	Irrelevant	402, 403
Pg. 229, ll. 23	Pg. 230, ll. 2	Irrelevant	402, 403
Pg. 238, ll. 23	Pg. 239, ll.2	Irrelevant	402, 403
Pg. 239, ll. 13	Pg. 239, ll.17	Irrelevant	402, 403
Pg. 239, ll. 19	Pg. 239, ll.21	Irrelevant	402, 403
Pg. 240, ll. 2	Pg. 240, ll. 4	Irrelevant	402, 403
Pg. 240, ll.9	Pg. 240, ll. 12	Irrelevant	402, 403
Pg. 240, ll. 2	Pg. 240, ll.23	Irrelevant	402, 403
Pg. 241, ll. 6	Pg. 241, ll. 6	Irrelevant	402, 403
Pg. 241, ll.10	Pg. 241, ll. 11	Irrelevant	402, 403
Pg. 242, ll. 3	Pg. 242, ll. 3	Irrelevant	402, 403
Pg. 248, ll. 16	Pg. 248, ll. 18	Irrelevant	402, 403
Pg. 249, ll. 4	Pg. 249, ll. 7	Irrelevant	402, 403
Pg. 249, ll. 15	Pg. 249, ll. 18	Irrelevant	402, 403
Pg. 249, ll. 21	Pg. 249, ll. 24	Irrelevant	402, 403
Pg. 250, ll. 1	Pg. 250, ll. 3	Irrelevant	402, 403
Pg. 250, ll. 5	Pg. 250, ll. 6	Irrelevant	402, 403
Pg. 250, ll. 8	Pg. 250, ll. 12	Irrelevant	402, 403
Pg. 250, ll. 16	Pg. 250, ll. 17	Irrelevant	402, 403
Pg. 250, ll. 19	Pg. 250, ll. 21	Irrelevant	402, 403
Pg. 250, ll. 23	Pg. 250, ll. 24	Irrelevant	402, 403
Pg. 251, ll. 6	Pg. 251, ll. 9	Irrelevant	402, 403
Pg. 251, ll. 10	Pg. 251, ll. 11	Irrelevant	402, 403
Pg. 251, ll. 13	Pg. 251, ll. 14	Irrelevant	402, 403
Pg. 251, ll. 21	Pg. 251, ll. 23	Irrelevant	402, 403
Pg. 251, ll. 25	Pg. 252, ll. 2	Irrelevant	402, 403
Pg. 252, ll. 5	Pg. 252, ll. 6	Irrelevant	402, 403
Pg. 252, ll. 10	Pg. 252, ll. 12	Irrelevant	402, 403
Pg. 252, ll. 17	Pg. 252, ll. 219	Irrelevant	402, 403
Pg. 252, ll. 22	Pg. 252, ll. 23	Irrelevant	402, 403
Pg. 252, ll. 25	Pg. 253, ll. 2	Irrelevant	402, 403
Pg. 254, ll. 3	Pg. 254, ll. 4	Irrelevant	402, 403
Pg. 254, ll. 6	Pg. 254, ll. 6	Irrelevant	402, 403
Pg. 254, ll. 8	Pg. 254, ll. 11	Irrelevant	402, 403
Pg. 254, ll. 13	Pg. 254, ll. 13	Irrelevant	402, 403
Pg. 254, ll. 15	Pg. 254, ll. 16	Irrelevant	402, 403
Pg. 254, ll. 318	Pg. 254, ll. 320	Irrelevant	402, 403
Pg. 254, ll. 322	Pg. 254, ll. 22	Irrelevant	402, 403



**THOMPSON, SCOTT 01/04/2008**

**Defendants' Objections**

<b>Testimony Range</b>	<b>Objection</b>	<b>Authority</b>
Pg. 45, ll. 16 - Pg. 46, ll. 5	Lack of relevance; unfairly prejudicial	FRE 402 FRE 403
Pg. 101, ll. 9 - 12	Lack of foundation; lack of personal knowledge; calls for speculation	FRE 602

**Plaintiffs' Objections**

<b>Testimony Range</b>	<b>Objection</b>	<b>Authority</b>
Pg. 19, ll. 15 - 21	Calls for legal conclusion; Calls for speculation	
Pg. 19, ll. 22 - Pg. 20, ll. 4	Calls for legal conclusion; calls for speculation	
Pg. 47, ll. 12 - 18	Lacks foundation, no personal knowledge	FRE 602
Pg. 50, ll. 6 - 13	Lacks foundation	FRE 602
Pg. 66, ll. 2 - 12	Calls for legal conclusion; relevance	FRE 401-403
Pg. 66, ll. 13 - 17	Calls for legal conclusion; lacks foundation; relevance	FRE 602, 401-403
Pg. 68, ll. 13-18	Calls for speculation	
Pg. 77, ll. 8 - Pg. 78, ll. 1	Hypothetical; calls for speculation, relevance	FRE 401-403
Pg. 87, ll. 15 - 24	Hypothetical; calls for speculation; relevance	FRE 401-403
Pg. 91, ll. 19 - 25	Hypothetical; calls for speculation; relevance	FRE 401-403
Pg. 94, ll. 2 - 18	Relevance	FRE 401-403
Pg. 102, ll. 12-18	Relevance	FRE 401-403

**THOMPSON, STEPHEN -- April 7, 2009**

**Plaintiffs' Objections**

<b>Start</b>	<b>Stop</b>	<b>Objection</b>	<b>Authority</b>
29:15	29:25	Relevance; Foundation and opinion of lay witness without technical or specialized knowledge , calls for speculation, calls for legal conclusions.	FRE 401 FRE 701
38:20	38:24	Relevance	FRE 401
39:1	39:22	Relevance	FRE 401
40:11	40:14	Calls for legal conclusion	
42:2	42:5	Relevance; calls for legal conclusions; lack of personal knowledge; foundation; and opinion of lay witness without technical or specialized knowledge	FRE 401, 403 FRE 602 FRE 701
42:8	42:24	Relevance; calls for legal conclusions; lack of personal knowledge; foundation; and opinion of lay witness without technical or specialized knowledge	FRE 401, 403 FRE 602 FRE 701
43:20	44:1	Relevance; calls for legal conclusion	FRE 401
64:10	64:18	Lack of personal knowledge; calls for speculation	FRE 602
65:4	65:24	Lack of personal knowledge; calls for speculation	FRE 602
75:15	78:5	Relevance	FRE 402, 403
78:6	78:10	Relevance; lack of	FRE 401

		personal knowledge; calls for speculation	FRE 602
78:13	79:21	Relevance	FRE 402 and 403
81:8	81:23	Relevance; lack of personal knowledge; calls for speculation	FRE 401 FRE 602
86:16	87:24	Relevance	FRE 402 and 403
93:6	93:13	Argumentative; assumes facts not in evidence; lack of personal knowledge	FRE 602
101:25	103:1	Relevance	FRE 402 and 403

### Defendants' Objections

Start	Stop	Objection	Authority
Pg. 48, ll. 25	Pg. 49, ll. 22	Answer is nonresponsive	
Pg. 91, ll. 12	Pg. 92, ll. 1	Hearsay; lack of personal knowledge	FRE 602 FRE 802

**THRALLS, MIKE --March 17, 2009**

**Defendants' Objections**

<b>Testimony Range</b>	<b>Objection</b>	<b>Authority</b>
<b>64:10-65:6</b>	Lack of foundation; Subject of pending Motion in Limine regarding City of Tulsa Settlement	FRE 401, 402, 403
<b>132:6-17</b>	Subject of pending Motion in Limine regarding City of Tulsa Settlement	
<b>133:5-20</b>	Subject of pending Motion in Limine regarding City of Tulsa Settlement	

**Plaintiffs' Objections**

<b>Testimony Range</b>	<b>Objection</b>	<b>Authority</b>
<b>7:19-23</b>	Relevance	Rule 402 and 403
<b>9:8-17</b>	Relevance	Rule 402 and 403
<b>11:10-12:18</b>	Calls for a Legal Conclusion	Rule 701
<b>12:19-13:1</b>	Calls for a Legal Conclusion, and Rule 602 Speculation	Rule 701
<b>44:15-15</b>	Calls for a Legal Conclusion	Rule 701
<b>78:12-21</b>	Calls for Speculation	Rule 602
<b>79:24-82:9</b>	Relevance, Calls for speculation, and Calls for a Legal Conclusion	Rule 402, Rule 403, Rule 602, Rule 701
<b>87:7-20</b>	Calls for speculation	Rule 602
<b>97:9-17</b>	Calls for a Legal Conclusion	Rule 701
<b>107: 10-108:11</b>	Calls for a Legal Conclusion	Rule 701

<b>110:5-18</b>	Calls for speculation and Lack of personal knowledge	Rule 602
<b>110:19-22</b>	Relevance	Rule 401, Rule 403
<b>121:12-23</b>	Calls for a Legal Conclusion	Rule 701
<b>158:21-159:2</b>	Calls for a Legal Conclusion	Rule 701
<b>167: 20-168:7</b>	Relevance	Rule 402, Rule 403

**OBJECTIONS TO DEPOSITION DESIGNATIONS****DEPOSITION OF GABRIEL TIMBY****NOVEMBER 12, 2007**

<b>Page</b>	<b>Line(s)</b>	<b>Objection</b>	<b>Authority</b>
13	11-13	Relevancy/probative value; Prejudicial; Foundation/ultimate issue (use of word "waste")	FRE 104, 402, 403
15	14-15	Relevancy/probative value; Prejudicial; Foundation/ultimate issue (use of word "waste")	FRE 104, 402, 403
16	7-8, 11-13, 14-15, 17-19, 21, 25	Relevancy/probative value; Prejudicial; Foundation (questions eliciting testimony about entities or operations and their activities which are not issues in the case; no foundation that these operations are in the IRW, or that if they do, that those operations are related to the issues in the case; misleading and confusing; waste of time)	FRE 104, 402, 403
19	7-8, 13-15, 22-23	Relevancy/probative value; Prejudicial; Foundation/ultimate issue (use of word "waste"; questions eliciting testimony about operations which are not issues in the case; no foundation that these operations are in the IRW; misleading and confusing; waste of time)	FRE 104, 402, 403

20	10-12, 17-19	Relevancy/probative value; Prejudicial; Foundation/ultimate issue (use of word "waste")	FRE 104, 402, 403
21	3-5	Relevancy/probative value; Prejudicial; Foundation/ultimate issue (use of word "waste")	FRE 104, 402, 403
22	10-12, 16-18, 20-21	Relevancy/probative value; Prejudicial; Foundation/ultimate issue (use of word "waste")	FRE 104, 402, 403
23	7-8	Relevancy/probative value; Prejudicial; Foundation/ultimate issue (use of word "waste")	FRE 104, 402, 403
25	1, 24-25	Relevancy/probative value; Prejudicial; Foundation/ultimate issue (use of word "waste")	FRE 104, 402, 403
26	16-20	Relevancy/probative value; Prejudicial; Foundation (questions eliciting testimony about entities or operations and their activities which are not issues in the case; no foundation that these operations are in the IRW, or that if they do, that those operations are related to the issues in the case; misleading and confusing; waste of time)	FRE 104, 402, 403

27	1-2, 4-5, 7-8	Relevancy/probative value; Prejudicial; Foundation (questions eliciting testimony about entities or operations and their activities which are not issues in the case; no foundation that these operations are in the IRW, or that if they do, that those operations are related to the issues in the case; misleading and confusing; waste of time)	FRE 104, 402, 403
27	16-18, 21-23, 25	Relevancy/probative value; Prejudicial; Foundation/ultimate issue (use of word "waste"; questions eliciting testimony about operations which are not issues in the case; no foundation that these operations are in the IRW; misleading and confusing; waste of time)	FRE 104, 402, 403
28	6-8	Relevancy/probative value; Prejudicial; Foundation/ultimate issue (use of word "waste")	FRE 104, 402, 403
28	10-11	Relevancy/probative value; Prejudice; (question about areas outside the IRW, which Magistrate has ruled is irrelevant to this case)	FRE 402, 403
28	25	Relevancy/probative value; Prejudice; Foundation (not a topic of the subpoena; question about information that is irrelevant to case; confusing)	FRE 104, 402, 403



29	1-2	Relevancy/probative value; Prejudice; Foundation (not a topic of the subpoena; question about information that is irrelevant to case; confusing)	FRE 104, 402, 403
30	7-14	Hearsay; Foundation (use of unauthenticated map without laying foundation with no ability to authenticate or cross-examine counsel's testimony about what it is or its source, all used to prove truth of matter asserted); Relevancy/probative value; Prejudice; Foundation/ultimate issue (use of word "waste"; assumes facts not in evidence and not capable of being put into evidence or cross-examined; misleading; confusing)	FRE 104, 402, 403, 802; 6 <sup>th</sup> Amend. to US Const
31	1-4	Relevancy/probative value; Prejudicial; Foundation/ultimate issue (use of word "waste")	FRE 104, 402, 403
31	9-12, 16-18	Relevancy/probative value; Prejudicial; Foundation (compound; vague; misleading and confusing; assume facts not in evidence on issues of direction or control)	FRE 104, 402, 403
31	22-24	Relevancy/probative value; Hearsay; Foundation (calls for speculation by the witness about what George's may know)	FRE 104, 402, 403, 802

32	13-18	Relevancy/probative value; Prejudicial; Foundation/ultimate issue (use of word "waste")	FRE 104, 402, 403
33	7-9	Relevancy/probative value; Foundation (vague and confusing question)	FRE 104, 402, 403
33	14-16	Relevancy/probative value (regarding agronomic needs); Foundation/ultimate issue (Seeks expert opinion –witness was not qualified as an expert; assumes facts not in evidence regarding agronomic needs and conditions in the IRW)	FRE 104, 402, 403, 702
34	21-22	Relevancy/probative value; Prejudicial; Foundation/ultimate issue (use of word "waste")	FRE 104, 402, 403
39	1-4	Relevancy/probative value; Foundation (vague and confusing question)	FRE 104, 402, 403
41	18-22	Relevancy/probative value; Prejudicial; Foundation (compound; vague; misleading and confusing; assume facts not in evidence on issues of direction or control)	FRE 104, 402, 403
47	7-8	Relevancy/probative value; Prejudicial; Foundation/ultimate issue (use of word "waste"; assumes facts not in evidence regarding supposed difficulty in finding land for use of litter)	FRE 104, 402, 403

47	17-19	Relevancy/probative value; Prejudicial; Foundation (inflammatory; assumes facts not in evidence regarding profit motive of TRS)	FRE 104, 402, 403
48	6-9	Relevancy/probative value; Prejudicial; Foundation/ultimate issue (use of word "facilities"; misleading and confusing; assumes facts not in evidence on issues of direction or control)	FRE 104, 402, 403
48	20-22	Relevancy/probative value; Hearsay; Foundation/ultimate issue (use of word "facility"; calls for speculation by the witness about what others may know)	FRE 104, 402, 403, 802
51	12-14, 20-23	Hearsay; Best evidence; Foundation (use of unauthenticated copy of soil test without laying proper foundation, to prove truth of matter asserted in the document); Relevancy/probative value; Foundation (question regarding soil test phosphorus; seeks expert opinion and witness was not qualified as an expert)	FRE 104, 402, 403, 702, 802, 1002
51	25	Relevancy/probative value; Hearsay; Foundation (calls for speculation by the witness about what is "possible")	FRE 104, 402, 403, 802

52	1-2	Relevancy/probative value; Hearsay; Foundation (calls for speculation by the witness about what is "possible")	FRE 104, 402, 403, 802
52	4-7, 9	Hearsay; Best evidence; Foundation (use of unauthenticated copy of soil test without laying proper foundation, to prove truth of matter asserted in the document); Relevancy/probative value; Foundation (question regarding soil test phosphorus; seeks expert opinion and witness was not qualified as an expert)	FRE 104, 402, 403, 702, 802, 1002
53	2-4	Relevancy/probative value; Hearsay; Foundation (calls for speculation by the witness; seeks expert opinion and witness was not qualified as an expert)	FRE 104, 402, 403, 702, 802
54	4-5, 13-15, 17-19	Hearsay; Best evidence; Foundation (use of unauthenticated copy of soil test without laying proper foundation, to prove truth of matter asserted in the document); Relevancy/probative value; Foundation (question regarding soil test phosphorus; seeks expert opinion and witness was not qualified as an expert)	FRE 104, 402, 403, 702, 802, 1002

55	7-8	Relevancy/probative value; Prejudicial; Foundation/ultimate issue (use of word "waste")	FRE 104, 402, 403
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